

[COUNSEL LISTED ON NEXT PAGE]

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

SEAN GUESS, on behalf of himself and all others similarly situated,
Plaintiff,
vs.
US BANCORP; US BANCORP INVESTMENTS; U.S. BANK N.A.; U.S. BANK d/b/a U.S. BANK HOME MORTGAGE; and DOES 1-50,
Defendants.
Case No. C06-07535 - JF
The Honorable Jeremy Fogel
STIPULATION AND [PROPOSED] ORDER

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21 *Attorneys for Defendants*

22 *US BANCORP, US BANCORP
INVESTMENTS, U.S. BANK N.A., U.S. BANK*

1 WHEREAS on March 19, 2008, the Court entered the parties' Stipulation and Proposed
2 Order setting forth a briefing schedule for Plaintiff's Renewed Motion for Conditional Class
3 Certification and Court Authorized Notice Pursuant to U.S.C. § 216(b);

4 WHEREAS on April 30, 3008, Plaintiff filed his Renewed Motion for Conditional Class
5 Certification and Court Authorized Notice Pursuant to U.S.C. § 216(b);

6 WHEREAS on May 30, 2008, Defendant filed its brief in Opposition to Plaintiff's Renewed
7 Motion for Conditional Class Certification;

8 WHEREAS the parties continue to meet and confer regarding certain discovery disputes;

9 WHEREAS Plaintiff's counsel requested additional time to file Plaintiff's Reply due to a
10 medical emergency and other personal concerns of Plaintiff's counsel;

11 WHEREAS the parties agree that Plaintiff may have an additional two weeks to submit his
12 Reply; and

13 WHEREAS the relief sought in this Stipulation will not affect the hearing date currently
14 scheduled for July 18, 2008 (unless the Court would prefer to move it);

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1 The parties hereby STIPULATE and agree as follows:

2 Plaintiff will file his Reply in support of his Renewed Motion for Conditional Class
3 Certification and Court Authorized Notice Pursuant to U.S.C. § 216(b) no later than June 30, 2008.

4 DATED: June 9, 2008

SCHIFFRIN BARROWAY TOPAZ
5 & KESSLER, LLP

6 By: _____ /s/

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9 Joseph H. Meltzer
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10 Attorneys for Plaintiff SEAN GUESS

11
12 WINSTON & STRAWN LLP

13 By: _____ /s/

14 Joan B. Tucker Fife

15 Attorneys for Defendants
16 US BANCORP, US BANCORP
17 INVESTMENTS, U.S. BANK N.A., U.S. BANK

18
19 I hereby attest that the concurrence in the filing of this document has been obtained by the above
20 signatory indicated on the conformed signature (/s/) within this efiled document.

21 /s/ Joan B. Tucker Fife
22 Joan B. Tucker Fife

23
24 IT IS SO ORDERED, this 12 day of June, 2008.

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26 
27 The Honorable Jeremy Fogel
United States District Court Judge